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Sent: Thursday, August 04, 2005 6:44 PM
To: National List
Subject: docket # TM-04-07

To Whom it May Concern

With regard to docket # TM-04-07, I wish to submit the following comment on section 205.601 (a) (2) of the National List which relates to the allowance of calcium hypochlorite as a disinfectant in organic crop production.

The allowance includes the condition that residual levels of chlorine following treatment not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act. However, NOSB has failed to clearly identify the exact point in the disinfection process where the chlorine level may not exceed

As a result, the use of 20,000 ppm calcium hypochlorite solutions for disinfecting of sprouting seed is being allowed by many organic certifiers, who are claiming to be in compliance with the decisions of the NOSB, in spite of the fact that the residual level of calcium hypochlorite following a typical seed treatment is in excess of 16,000 ppm.

The rationale for this allowance appears to be that the residual level can be measured at some indefinite time following the treatment, or with some amount of dilution, or with the addition of other, unspecified chemicals, which can reduce the residual chlorine level.

Basing a treatment allowance on a residual level either at the point of discharge, or on the food, at some time following the treatment is inconsistent with other instances where synthetic chemicals are allowed or not allowed under the organic standards, since by extension of the rationale, it would allow any chemical to be used in organic production provided it can be diluted or chemically altered, or that it gets washed off before the point where the food is consumed.

The reason for this chemical allowance, which is so clearly inconsistent with other organic production standards, appears to be the argument that the treatment provides a safety benefit which could not be attained in any other way which is be more consistent with these standards.

However, there has been no serious review of what the 20,000 ppm calcium hypochlorite seed treatment actually accomplishes, and so there is no standard by which to evaluate alternatives.

Although organic standards must take second place to FDA safety standards in any case where there is a conflict, the allowance of an FDA treatment recommendation in the National List without questioning the efficacy of the treatment, or stating its rationale in terms of what it actually accomplishes, sets an unacceptable precedent.

When the National List was first established, irradiation of food as a safety intervention was suggested as an allowed treatment. There was a strong rejection of this allowance, partly because irradiation of food is inconsistent with organic production standards, and partly because there was felt to be no justification, in terms of risk reduction, for the use of this treatment. In fact, it was felt that certain risks would either be increased by the use of this treatment, or at least, that insufficient investigation of possible risks had been carried out.

The same can be said of the use of such a highly toxic material as a 20,000 ppm chlorine seed soak solution, where the risk is not hypothetical, but real and immediate.. A careful review of the need for such a treatment must be a prerequisite for its allowance. Until such a review has taken place, the chlorine allowance as presently specified in

the National List should not be interpreted to include its use at anything like 20,000 ppm strength.

If the use of chlorine solutions in direct contact with food is allowed in the National List, it must be unequivocally stated that the residual strength of the solution must not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act at the point at which the treatment solution is drained from the food being treated- not at indeterminate point down the line.

Respectfully submitted,

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